

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6751

BILL NUMBER: SB 212

NOTE PREPARED: Dec 31, 2011

BILL AMENDED:

SUBJECT: Utility Facility Relocation.

FIRST AUTHOR: Sen. Gard

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill authorizes a unit of local government to enter into an agreement with a utility concerning the relocation of the utility's facilities for a major project undertaken by the local unit. It requires that the agreement must include a date for relocation, a damages provision, and a force majeure clause. It also requires a utility to provide a unit contact information for the utility's authorized representative. It specifies that a unit that is responsible for relocation costs shall pay the costs in arrears in accordance with the procedures of the State Board of Accounts.

Effective Date: July 1, 2012.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues: This bill could increase local revenues. The bill provides that a local unit may enter into an agreement with a utility concerning the relocation of the utility's underground facility. The bill allows a local unit to recover monetary costs in an amount not to exceed \$1,000 for each day the utility fails to relocate its underground facility by the date set forth in the agreement.

State Agencies Affected:

Local Agencies Affected: Local units of government.

Information Sources:

Fiscal Analyst: Diana Agidi, 317-232-9867.